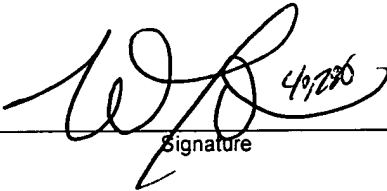


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PTO/SB/33 (07-05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) SON-2814	
	Application Number 10/527,743-Conf. #9126	Filed March 14, 2005	
	First Named Inventor Yasushi Maruyama		
	Art Unit 2823	Examiner B. Kebede	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>40,290/24,104</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p> <p> _____ Signature</p> <p><u>Christopher M. Tobin/Ronald P. Kananen</u> Typed or printed name</p> <p><u>(202) 955-3750</u> Telephone number</p> <p><u>February 27, 2008</u> Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			



Docket No.: SON-2814  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Yasushi Maruyama

Application No.: 10/527,743

Confirmation No.: 9126

Filed: March 14, 2005

Art Unit: 2823

For: SOLID-STATE IMAGE PICKUP DEVICE  
AND METHOD OF MANUFACTURING THE  
SAME

Examiner: B. Kebede

**REQUEST FOR PRE-APPEAL BRIEF PANEL REVIEW OF FINAL REJECTION**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

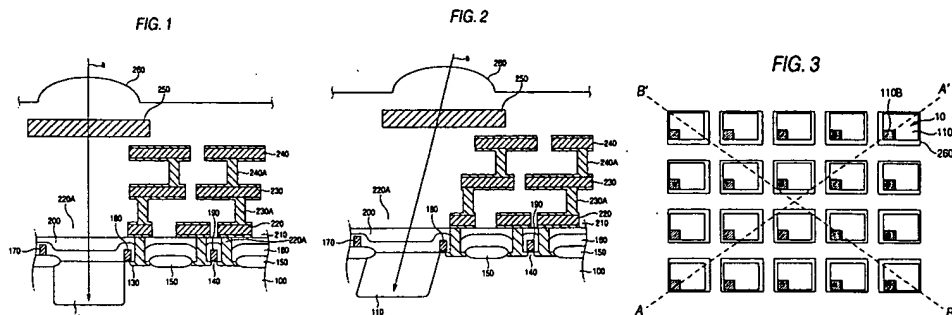
Paragraph 5 of the Final Office Action indicates a rejection of claims 14-16 and 19-25 under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 6,211,509 to Inoue et al. (Inoue).

Paragraph 7 of the Final Office Action indicates a rejection of claims 17-18 under 35 U.S.C. §103 as allegedly being unpatentable over Inoue in view of U.S. Patent Application No. 2005/0035376 to Yamada.

These rejections are traversed at least for the following reasons.

The following description is provided for illustrative purposes and is not intended to limit the scope of the invention.

Provided hereinbelow are Figures 1-3 of the specification as originally filed.



**Inoue** - Inoue arguably teaches the presence of a solid-state image sensor. Provided hereinbelow is Figure 1 of Inoue.

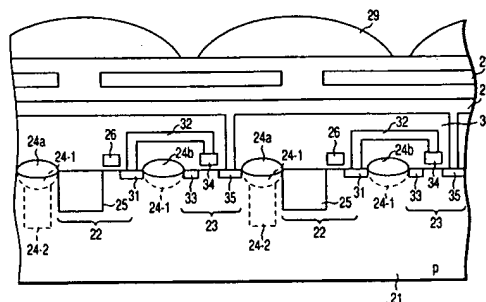


FIG. 1A

The Final Office Action appears to associate element 29 of Inoue as the *collective lens 29* and appears to associate element 25 of Inoue as the *photoelectric converting portion 25* (Office Action at page 3).

However, comparing the adjacent pixel units depicted within Figure 1A of Inoue, Figure 1A of Inoue *fails* to disclose, teach, or suggest that the collective lens 29 is placed at a position *shifted more toward a center of the imaging area* than the position of the photoelectric converting portion 25 in a pixel based on a position of each pixel.

Specifically, the Office Action fails to cite any objective teaching within Inoue for showing a positioning of an alleged collective lens 29 more toward a center of the imaging area than the positioning of an alleged the photoelectric converting portion 25.

- ***Thus, Inoue fails to disclose, teach, or suggest that the collective lens is placed at a position shifted more toward a center of the imaging area than the position of the photoelectric converting portion in a pixel based on a position of each pixel.***

The Office Action contends that applicant's arguments that drawings are not to scale has no merit because applicant's own drawings are not to scale to in the absence of quantifiable measurements (Office Action at page 7).

In response, U.S. Application Publication No. 2006/0006438, the publication document for the present application, provides the following:

[0043] On the other hand, since the main light beam a launches on pixels in the screen peripheral part shown in FIG. 2 at an angle of incidence  $\theta$ , the microlens 260, color filter 250, wires 220, 230 and 240, photodiode 110 and so on are disposed along the direction of incidence in accordance with the angle of incidence  $\theta$  in a positional relationship so that the arrangement of these elements can be optimized.

[0047] Furthermore, as shown in FIG. 2, the photoelectric converting portion (n-type region) of the photodiode 110 tilts from the center part of the imaging area (imaging pixel portion) to the outside in a pixel in the screen peripheral part in accordance with the angle of incidence  $\theta$ .

[0053] Accordingly, in this embodiment, the microlens 260 and light-shield film opening part 210A in each of pixels on the point A side are placed at positions shifted toward the center of the imaging area more largely than those of pixels on the A', B and B' sides with respect to the conventional example shown in FIG. 7 so that an amount of a positional correction can be increased, and an amount of loss in

received light due to the readout gate portion 110B of each of the pixels can be even in pixels in each of the corners.

Accordingly, a written description of the quantitative values shown within the drawing figures of the present application can be readily found within the specification of the present application.

Yet, *no comparable teaching* can be found within Inoue.

Yamada - Yamada arguably teaches the presence of a solid-state image sensor. Yamada arguably teaches the presence of a plurality of photoelectric conversion sections 309 (Yamada at paragraph [0061]).

Provided hereinbelow is Figure 1 of Yamada.

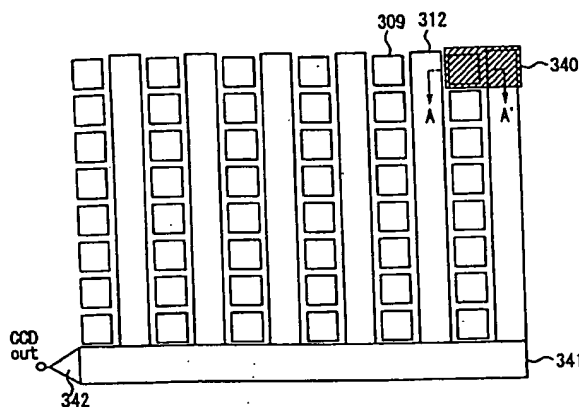


FIG. 1

The Final Office Action *fails* to identify any written description in the specification of Yamada for the teaching that an alleged collective lens of Yamada is placed at a position shifted more toward the center of the imaging area from a part on the symmetrical substantial center as a distance from the center of the imaging area to a pixel thereof increases.

**Yamada** - The Final Office Action **fails** to identify any written description in the specification of **Inoue** for the teaching that a collective lens of **Yamada** is placed at a position shifted more toward the center of the imaging area as a distance from the center of the imaging area to a pixel thereof increases.

- ***Thus, Yamada fails to disclose, teach, or suggest that the collective lens is placed at a position shifted more toward a center of the imaging area than the position of the photoelectric converting portion in a pixel based on a position of each pixel.***

Withdrawal of these rejections and allowance of the claims is respectfully requested.

Dated: February 27, 2008

Respectfully submitted,

By

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Registration No.: 40,290

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Correspondence Customer Number: 23353

Attorney for Applicant